Rear-End and T-Bone Collisions: How Fault Is Decided

Rear-end and T-bone collisions come up again and again in injury claims. The label describes how the vehicles met, but it does not decide who was at fault. An auto accident lawyer reviewing these crashes usually begins with the sequence of events, from the speed of each car to the signals that controlled the intersection.

How rear-end collisions happen

Many state traffic codes prohibit following another vehicle more closely than is reasonable and prudent, taking into account the speed car accident lawyer of traffic and the condition of the road. Distraction is a frequent factor. NHTSA explains that sending or reading a text takes a driver's eyes off the road for 5 seconds, which at 55 mph is like driving the length of a football field with eyes closed. A car crash lawyer will sometimes request the other driver's phone records if distraction is suspected.

In many rear-end crashes the trailing driver is found at fault, yet that result is not automatic. A car that cuts in and brakes suddenly, brake lights that do not work or a vehicle backing up may shift part or all of the fault. In a multi-vehicle pileup, each impact is a separate event, and a middle car pushed into the car ahead may not be at fault for that second impact.

Whiplash and soft tissue injuries

Rear-end impacts are often associated with whiplash, a neck injury caused by a rapid back-and-forth movement of the head. Symptoms such as neck pain and headaches may not appear until hours after the crash, which is one reason prompt medical care matters. Insurance companies sometimes challenge injury claims after low-speed rear-end crashes, pointing to light vehicle damage. Photos of both cars and the medical records help respond to that argument, along with imaging such as an MRI when a doctor orders one.

Why side-impact crashes happen

A T-bone collision happens when the front of one vehicle strikes the side of another, usually at an intersection. Common causes include running a red light or a stop sign and failing to yield on a left turn. The sides of a car have less room to absorb crash forces than the front or rear, and the Insurance Institute for Highway Safety (IIHS) evaluates side protection in its own side-impact crash test. People seated on the struck side can suffer serious injuries such as traumatic brain injury or pelvic fractures.

Disputes in these crashes often come down to who had the right of way. Useful evidence includes signal timing records, intersection camera video, nearby business surveillance footage, dashcam video and witness statements, plus the event data recorder (EDR) in each car, which may store speed and braking data from the seconds before impact. A caraccidentlawyers.wiki car crash lawyer typically moves quickly to collect video, because many systems record over old footage within days or weeks.

Comparative negligence in these crashes

Fault is not always all or nothing. Most states apply some form of comparative negligence, which reduces a recovery by the injured person's percentage of fault. Under modified comparative negligence, a person found at least 50 or 51 percent at fault, depending on the state, may recover nothing, while pure

comparative negligence allows a reduced recovery at any percentage of fault. A few jurisdictions still apply contributory negligence, which can bar recovery for even slight fault. A motor vehicle accident attorney can explain which rule applies where the crash happened.

Deadlines and general information

Each state sets its own statute of limitations for injury claims, and claims involving a government vehicle or agency can require written notice much sooner. This is general information and not legal advice, and it cannot predict the outcome of any claim.